

FILED 10 JUL 12 09:36 USDC-ORP

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

KRIS INDERGARD,

Plaintiff,

Civil No. 06-1317-PK
Portland Division

GEORGIA-PACIFIC CORPORATION,

ORDER

Defendant.

HAGGERTY, District Judge:

Magistrate Judge Papak issued a Findings and Recommendation [101] in this action that recommended that defendant's Motion for Partial Summary Judgment [88] should be denied.

The Findings and Recommendation concluded that because the lift-tests at issue went beyond a mere physical examination, and because evidence suggests that defendant Georgia-Pacific relied on the lift tests when it refused to reinstate plaintiff, plaintiff has presented sufficient evidence that the PCE proximately caused her damages. Findings and Recommendation at 13.

No objections to the Findings and Recommendation were filed, and the matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate Judge. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).


No clear error appears on the face of the record. This court adopts the Findings and Recommendation in its entirety.

CONCLUSION

For the foregoing reasons, the court adopts the Findings and Recommendation [101]. Defendant's Motion for Partial Summary Judgment [88] is denied.

IT IS SO ORDERED.

DATED this 12 day of July, 2010.


Ancer L. Haggerty
United States District Judge